



state senator **Gerald Van Woerkom**

Serving the 34th Senate District

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Dear Friend:

We have made progress on many issues of importance to seniors this year, including the continuation of appliance service programs, new regulations for prepaid funerals and more consumer protection from sweepstakes and organizations posing as charities.

As your state Senator, I am working hard to ensure that the voice of West Michigan seniors continues to be heard during legislative discussions. That's why it is vital that you share your thoughts and concerns with me so I can best represent your needs at the State Capitol.

Although we have gained ground in protecting the rights of seniors, our work is far from done. I look forward to hearing about the issues that matter most to you.

Sincerely,

State Senator

APPLIANCE SERVICE PROGRAMS Can Continue Under New Law

Legislation I supported allowing utilities to continue offering appliance service programs as long as they meet certain requirements was signed into law in April.

Public Act 88 of 2004 spells out certain circumstances under which a regulated utility could maintain a repair and servicing program. It requires the Public Service Commission to ensure that ratepayers are not subsidizing the program and prohibits the utility from promoting the program in its utility bills.

The new law allows electric utilities to continue offering furnace-and appliance-repair programs. Consumers Energy has a popular repair program which is utilized by approximately 175,000 customers. Many Michigan residents, especially seniors on fixed incomes, rely on such programs for the peace of mind they provide.

I heard from hundreds of constituents who supported allowing utilities to continue offering appliance repair programs to their customers. This new law is being heralded as a major victory for the seniors who depend on these programs.

MEDICARE Prescription Card Update

The new Medicare law makes major changes to the nation's health insurance program for people age 65 and older and some persons with disabilities. For many seniors, the most important part of the law is a new benefit to help people in Medicare with their prescription drug costs. Starting in June, discount cards with a Medicare-approved seal will save you about 10 to 25 percent on your total prescription drug costs. Medicare will contract with private companies to offer these cards. The cost for a card will be no more than \$30. This card is optional - you do not have to get a discount card if you don't want one.

If you decide to get a Medicare-approved discount card from a private company, you may pay less for your prescription drugs than you do now. Discounts will vary by card, and each plan will be slightly different. Visit www.medicare.gov or call **1-800-MEDICARE** for more information.



PREPAID Funerals

Michigan residents who purchase prepaid funeral arrangements may now have peace of mind about their investment. Two new laws offer consumer protection for individuals who purchase prepaid funeral goods and services.

The laws require all sellers of prepaid funeral arrangements to place the money customers invest into secure escrow accounts, ensuring that the money is available to pay for funeral goods and services at the time they are needed. The law allows the funeral industry to charge no more than 10 percent of the prepaid contract price as a commission for the sale of the contract, money which is nonrefundable in the event that the contract is cancelled.

The new laws, Public Acts 21 and 22 of 2004, also ensure that individuals who purchase prepaid funeral goods and services may receive a refund if necessary.



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ACCELERATED Insurance Benefits

Individuals facing certain medical conditions that are considered life threatening or catastrophic in nature now qualify for accelerated benefits from their life insurance policy. The law is similar to legislation I sponsored in the Senate last year.

Public Act 208 of 2003 provides protection for consumers by setting regulations for policy holders to receive accelerated benefits. It will provide consumers with more information on the options they have available through their life insurance policy and clarify any consequences that may result from taking early benefits.

In addition, regulating the practice of accelerated benefits from life insurance policies will provide insurance companies with clear direction on their steps to paying out accelerated benefits. The new law also details what information the insurance company must provide to the insured.

CHARITABLE ORGANIZATIONS Law Updated

I recently supported Senate Bill 1115, a bill to amend the Charitable Organizations and Solicitations Act. The bill is intended to provide better regulations of unscrupulous organizations that solicit funds from the public. The legislation also will provide consumers with a resource to ensure that they are donating to legitimate charities.

The Michigan Nonprofit Association indicated in an April letter that revising the Charitable Organizations and Solicitations Act is one of their priorities. Published accounts from other sources confirm that the rules governing charitable funding have not kept up with changes.

Senate Bill 1115 would establish new fees to help create funding for the direct administration and enforcement of this act. The bill also will create a new tiered penalty structure.

The bill was unanimously passed by the Senate, and will now be considered by the House of Representatives.

Senate CRACKS DOWN on Sweepstakes Fraud

The Senate recently passed legislation that would regulate sweepstakes solicitations and awarding of prizes. The legislation creates the Prize and Sweepstakes Regulation Act to regulate the notification and awarding of prizes and to establish penalties for violations of this act.

A May 1998 study conducted jointly by the American Association for Retired Persons and the Michigan Attorney General, called “Senior Sting,” monitored the mail of senior citizens showing them to be the most heavily targeted. In a 30 day period, 20 percent of the 1,766 solicitations received by 106 households were for sweepstakes entries, compared to less than 15 percent for credit cards and other types of solicitations.

The bill is currently being considered by the House of Representatives.

E-Mail Update and Publications Available:

In order to keep you and your family up to date with the actions of the Michigan Legislature, please fill out and return this tear off portion to receive your free e-mail update. Also, as a service, my office maintains a collection of useful publications that may be of interest to you. Requests for quantities of five or less will be mailed to you by filling out the following form:

☐ Peace of Mind ☐ Services for Seniors ☐ Consumer Protection Resource Guide ☐ State of Michigan Road Map

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